

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

DAVID LORENZA JOYNER, #1230707	§	
	§	
VS.	§	CIVIL ACTION NO. G-06-728
	§	
THOMAS A. DAVIS, JR., ET AL.	§	

**REPORT AND RECOMMENDATION**

On January 30, 2007, this Court signed an Order which notified Plaintiff, David Lorenza Joyner, that under Rule 4(m) of the Federal Rules of Civil Procedure he had until March 19, 2007, to perfect service on Defendants Thomas A. Davis, Jr. and Dudley M. Thomas. To date, there is no evidence in the file that Joyner has done so and, therefore, it is the **RECOMMENDATION** of this Court that all claims asserted by Joyner against Defendants Davis and Thomas be **DISMISSED**.

The Clerk **SHALL** send copies of this Report and Recommendation to the Parties, who **SHALL** have until **April 25, 2007**, to have written objections, filed pursuant to 28 U.S.C. §636(b)(1)(C), **physically on file** in the Office of the Clerk. The Objections **SHALL** be electronically filed and/or mailed to the Clerk's Office at P.O. Drawer 2300, Galveston, Texas 77553. Any Objections filed **SHALL** be contained in a written document specifically entitled "Objections to the Report and Recommendation of the Magistrate Judge", which will then be forwarded to the District Judge for consideration. Failure to file written objections within the prescribed time **SHALL** bar the aggrieved party from attacking on appeal the factual findings and legal conclusions accepted by the District Judge, except upon grounds of plain error.

**DONE** at Galveston, Texas, this 9th day of April, 2007.

  
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John R. Froeschner  
United States Magistrate Judge